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# **THE INDUSTRIAL STORMWATER GENERAL PERMIT**

## **A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND STATE WASTE DISCHARGE GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES**

State of Washington  
DEPARTMENT OF ECOLOGY  
Olympia, Washington 98504-7600

In compliance with the provisions of  
The State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington  
and  
The Federal Water Pollution Control Act  
(The Clean Water Act)  
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions which follow.

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## TABLE OF CONTENTS

SUMMARY OF PERMIT REPORT SUBMITTALS.....	3
<b>SPECIAL CONDITIONS</b>	
S1. PERMIT COVERAGE .....	4
A. Who is Required to Have Coverage Under the Industrial Stormwater General Permit?	
B. When is Coverage under the Industrial Stormwater General Permit Not Required?	
C. What Facilities are EXCLUDED from Coverage?	
D. Modification of Permit Coverage	
E. Coverage for Significant Contributors of Pollutants	
F. Coverage for Discharges to Ground Water	
S2. COVERAGE REQUIREMENTS .....	8
A. Who Is the Permittee?	
B. How Do I Obtain Coverage?	
C. Is There a Compliance Schedule for Developing and Implementing the SWPPP?	
D. What are Public Notice Requirements?	
E. When Does Coverage Begin?	
F. Does Coverage Preempt Local Government Requirements?	
G. Do I have to Reapply for Coverage When This Permit Expires?	
S3. DISCHARGE LIMITATIONS .....	12
A. Authorized Stormwater Discharges	
B. Discharges Prohibited	
C. Stormwater Discharges Subject to Effluent Guideline Limits	
D. Stormwater Discharges to Impaired Waterbodies	
E. Mixing Zone Descriptions	
F. General Prohibitions	
S4. MONITORING REQUIREMENTS .....	19
A. All Facilities	
B. Additional Monitoring by Industrial Group	
C. Facilities With Limits Based on EPA Effluent Guidelines	
D. Facilities Discharging to 303(d) Listed Waterbodies or Subject to TMDL Determination	
E. Sampling and Analytical Procedures	
F. Laboratory Accreditation	
S5. REPORTING AND RECORDKEEPING REQUIREMENTS .....	26
A. Reporting	
B. Records Retention	
C. Recording of Results	
D. Additional Monitoring by the Permittee	
E. Noncompliance Notification	

S6.	“NO EXPOSURE” CERTIFICATE .....	28
S7.	COMPLIANCE WITH STANDARDS .....	29
S8.	OPERATION AND MAINTENANCE .....	30
A.	Bypass Procedures	
B.	Duty to Mitigate	
S9.	STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR INDUSTRIAL FACILITIES .....	32
A.	General Requirements	
B.	SWPPP Contents and Requirements	
S10.	SOLID AND LIQUID WASTE DISPOSAL .....	38
S11.	NOTICE OF TERMINATION (NOT) .....	38
S12.	DETERMINATION OF PRIMARY ACTIVITY .....	38
	GENERAL CONDITIONS .....	39
G1.	DISCHARGE VIOLATIONS .....	39
G2.	PROPER OPERATION AND MAINTENANCE .....	39
G3.	REDUCED PRODUCTION FOR COMPLIANCE .....	39
G4.	RIGHT OF ENTRY .....	39
G5.	PERMIT COVERAGE REVOKED .....	39
G6.	GENERAL PERMIT MODIFICATION AND REVOCATION .....	40
G7.	REPORTING A CAUSE FOR MODIFICATION .....	40
G8.	TOXIC POLLUTANTS .....	41
G9.	OTHER REQUIREMENTS OF 40 CFR .....	41
G10.	COMPLIANCE WITH OTHER LAWS AND STATUTES .....	41
G11.	ADDITIONAL MONITORING .....	41
G12.	PAYMENT OF FEES .....	41
G13.	REMOVED SUBSTANCES .....	41
G14.	REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT .....	41
G15.	PERMIT TRANSFER .....	42
G16.	DUTY TO REAPPLY .....	42
G17.	PENALTIES FOR VIOLATING PERMIT CONDITIONS .....	42
G18.	SIGNATORY REQUIREMENTS .....	42
G19.	APPEALS .....	44
G20.	SEVERABILITY .....	44
	APPENDIX #1 .....	45
	APPENDIX #2 - DEFINITIONS .....	50
	APPENDIX 3 - ACRONYMS .....	57

### SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S1.D.	Permit Application for Substantive Changes to the Discharge	As necessary	
S4.	Discharge Monitoring Report	Quarterly	April 30, 2003
S5.E	Noncompliance Notification	As necessary	
S8.A.	Reporting Bypasses	As necessary	
G15.	Notice of Permit Transfer	As necessary	
G16.	Application for Permit Renewal	1/permit cycle	January 5, 2007

## SPECIAL CONDITIONS

### S1. PERMIT COVERAGE

#### A. Who is Required to Have Coverage Under the Industrial Stormwater General Permit?

This is a statewide permit for facilities conducting industrial activities. Most industrial facilities that discharge stormwater to a surface waterbody or to a municipal storm sewer system require permit coverage. Coverage is required for private entities, state, and local government facilities. Existing and new facilities are required to have coverage. For a complete list of industrial categories identified for coverage, see below or Appendix 1-Section C of this permit. Facilities that do not find their SIC code listed should also read Special Condition S12, Determination of Primary Activity. Ecology can also require permit coverage of any facility on a case-by-case basis in order to protect waters of the state.

Except as provided for in special conditions S1.B. and S1.C., permit coverage is required for the following industrial activities if there is a stormwater discharge to a surface waterbody or a storm sewer system that discharges to a surface waterbody:

1. Facilities listed at 40 CFR Subpart 122.26(b)(14)(i-xi, excluding x), Stormwater Discharges; see Appendix #1-Section C, categories 1-9 and 11 for a listing of these facilities. Category 10, construction activities, is not included in this general permit.
2. Previously exempt facilities owned or operated by municipalities must obtain coverage by March 10, 2003. These facilities were not required to obtain coverage under the previous industrial stormwater general permit (special condition S2.F.1.) consistent with the Intermodal Surface Transportation and Efficiency Act (ISTEA) exemption. If they meet the criteria for coverage identified in this special condition, they now require coverage.
3. All facilities that are classified as Category 11, Light Industry, that have a discharge to surface water or to storm sewer that discharges to surface water, must apply for coverage or submit a certificate of “no exposure”. This includes those light industry facilities that were not required to apply for coverage under previous releases of this permit because their industrial activities were completely under cover.
4. Facilities which are included in a group application [as described at 40 CFR Subpart 122.26(c)(2)] to USEPA, unless otherwise excluded under this special condition.
5. Any facility that has an existing NPDES discharge permit which does not address all stormwater discharges associated with industrial activity if required by 40 CFR Subpart 122.26(b)(14) to have a stormwater NPDES permit.
6. Any inactive industrial facility which is listed under 40 CFR Subpart 122.26(b)(14), and where significant materials remain on site and are exposed to stormwater.
7. Facilities listed in a. to c. below that have stormwater discharges subject to effluent limitation guidelines:

- a. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A.
  - b. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart B.
  - c. Stormwater discharge from coal storage piles.
- B. When is Coverage under the Industrial Stormwater General Permit Not Required?

The types of facilities listed below are not required to obtain coverage. However, coverage is not categorically prohibited and these facilities may request coverage if applicable.

1. Industrial facilities that submit an application and qualify for a determination of “no exposure”. (see Special Condition S6. “No Exposure” Certification for qualification requirements.)
2. Industrial facilities which discharge their stormwater only to a municipal combined sewer or sanitary sewer. Discharge of stormwater to sanitary or combined sewers shall only occur as authorized by the municipal authority responsible for that sewer.
3. Industrial facilities that discharge all of their stormwater to the ground and have no point source discharge to surface water or a municipal storm sewer unless determined to be a significant contributor of pollutants to ground water. Discharge to ground includes infiltration basins, dry wells, drain fields, and grassy swales. Facilities that discharge to a drywell, drainfield, or an infiltration system that uses perforated pipe to discharge to the subsurface must comply with the Underground Injection Control Program (UIC) regulations, 173-218 WAC.
4. Office buildings and/or administrative parking lots from which stormwater discharges are not commingled with stormwater discharges from areas associated with industrial activity unless determined to be a significant contributor of pollutants to waters of the state.
5. In accordance with 40 CFR 122.3(d), any part of a facility with a discharge which is in compliance with the instructions of an On-Scene-Coordinator pursuant to 40 CFR part 300 (The National Oil and Hazardous Substances Pollution Contingency Plan) or 33 CFR 153.10(e) (Pollution by Oil and Hazardous Substances).
6. Any part of a facility with a stormwater discharge resulting from remedial action conducted by the USEPA or Ecology or a potentially liable/responsible person under an order, agreed order or consent decree issued under the Comprehensive Environmental Response, Compensation, and Liability Act. These facilities must still comply with the substantive requirements in this general permit determined by Ecology to be applicable, relevant and appropriate requirements under these laws.
7. Any land application site used for the beneficial use of industrial or municipal wastewater for agricultural activities at agronomic rates or for landscaping purposes.
8. Any farmland, domestic garden, or land used for sludge management where domestic sewage sludge (biosolids) is beneficially reused (nutrient builder or soil conditioner) and which is not physically located in the confines of domestic sewage

treatment works, or areas that are in compliance with Section 405 (Disposal of Sewage Sludge) of the CWA.

9. Any inactive coal mining operation if the performance bond issued to the facility by the appropriate Surface Mining Control and Reclamation Act (SMCRA) authority has been released.
10. Any inactive noncoal mining operation if released from applicable state or federal reclamation requirements after December 17, 1990. Any inactive noncoal mining operation which does not have a discharge of stormwater that comes in contact with any overburden, raw material, intermediate products, finished products, byproducts, or waste products located on the site of the facility.
11. Inactive mining, inactive oil and gas operations or inactive landfills where neither an owner nor an operator can be identified.

C. What Facilities are EXCLUDED from Coverage?

Ecology will not consider coverage for the following facilities or activities:

1. Except as identified in Special Condition S1.A.7., any part of a facility with a stormwater discharge subject to an Effluent Limitations Guideline, Toxic Pollutant Effluent Standard, or New Source Performance Standard addressing stormwater or a combination of stormwater and process water, (See Section D of Appendix #1). These facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.
2. Nonpoint source silvicultural activities with natural runoff as excluded in 40 CFR Subpart 122.27. This includes silvicultural nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance.
3. Facilities that are federally owned or operated or are on Tribal land, or facilities that discharge stormwater to receiving waters subject to water quality standards of Indian Tribes, including portions of the Puyallup River and other waters on trust or restricted lands within the 1873 Survey Area of the Puyallup Tribe of Indians Reservation.
4. Any facility authorized to discharge stormwater under an existing NPDES individual or other general permit.
5. Construction activities as identified by 40 CFR Subpart 122.26(b)(14)(x) and Subpart 122.26(b)(15).

6. Facilities that discharge to a waterbody with a control plan<sup>1</sup> unless this general permit is adequate to provide the level of protection required by the control plan. Excluded facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.
7. Facilities that discharge to a waterbody listed pursuant to Section 303(d) of the Clean Water Act unless the Permittee can meet the requirements of special condition S3.D. Excluded facilities need to obtain coverage under another NPDES permit for stormwater discharges associated with industrial activity.

D. Modification of Permit Coverage

Any facility with coverage under this general permit that intends to implement a significant process change or modify a mixing zone must request a modification of coverage by submitting a revised application for coverage, clearly indicating the proposed change in accordance with the requirements of S2.B.4.

1. A significant process change is any modification of the facility that would:
  - add different pollutants to the discharge or increase the amount of pollutants in the stormwater discharge such as might result by adding a new industrial activity (SIC) that was not previously covered; or
  - add additional impervious surface or acreage such that stormwater discharge would be increased by 25% or more.
2. The addition or modification of a mixing zone is considered a modification of permit coverage.

E. Coverage for Significant Contributors of Pollutants

This permit may also cover any facility discharging stormwater which Ecology determines to be a significant contributor of pollutants to waters of the state of Washington or may reasonably be expected to cause a violation of a water quality standard. Coverage may be required of facilities that are significant contributors of pollutants to ground water even though no discharge to surface water or storm sewer system exists. These determinations are made on a case-by-case basis, are actions subject to appeal as described by RCW 43.21B.230, and consider the following factors:

1. Potential of discharge to cause a violation of surface or ground water quality or sediment management standards,
2. Sensitivity of the receiving waterbody, and
3. Applicability of industrial stormwater general permit to reduce potential to pollute.

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<sup>1</sup> Control plans may be total maximum daily load (TMDL) determinations, restrictions for the protection of endangered species, ground water management plans, or other limitations that regulate or set limits on discharges to a specific waterbody or groundwater recharge area.



F. Coverage for Discharges to Ground Water

Stormwater discharges to ground will be regulated as part of permit coverage for all facilities under this permit.

**S2. COVERAGE REQUIREMENTS**

A. Who Is the Permittee?

The Permittee must have legal authority to manage the facility under the terms and conditions of this permit, including the authority to make capital improvements as necessary. The Permittee must have day-to-day operational control to assure compliance. The owner is the Permittee if they are also the operator of the industrial facility. If the owner and the operator (or tenant) of an industrial facility are not the same, the operator is typically the Permittee and the owner may choose to be a co-Permittee.

B. How Do I Obtain Coverage?

1. Facilities Currently Under Permit

Coverage will continue for all facilities with existing coverage under the industrial stormwater general permit (effective date November 18, 2000) unless otherwise notified by Ecology. This permit revokes and replaces the previous permit on the effective date of this permit. However, existing facilities must submit to Ecology by September 30, 2002, a completed identification of receiving waterbody form (form provided by Ecology).

2. Facilities with Applications Currently Pending

Applications for coverage under the previous permit that were received before the effective date of this permit but processing was incomplete will be processed for coverage under the reissued permit. Those with pending applications are not required to submit a new application. However, additional information may be required to complete processing including the identification of receiving waterbody form provided by Ecology and a copy of the stormwater pollution prevention plan (SWPPP).

3. New Facilities or Existing Facilities Not Under Permit Coverage

New facilities and existing facilities that do not already have permit coverage must submit Ecology's Industrial Stormwater General Permit Application for Coverage. Unless not required under S1.B. or excluded under S1.C., all facilities that require a permit for the discharge of stormwater under S1.A. but are not already permitted for that discharge must submit an application for coverage to Ecology as follows:

a. Municipal Previously Exempt Facilities (ISTEA)

Those municipal facilities identified in S1.A.2. must submit an application for coverage:

- i. Facilities that existed before the effective date of this permit, July 5, 2002, are considered existing facilities. They shall submit an application for coverage by January 31, 2003. Public notice is not required.
  - ii. Facilities that begin operation on or after the effective date of this permit are considered new facilities. They shall submit an application for coverage by January 31, 2003 or at least 38 days before the commencement of the industrial activity. They shall comply with the requirements for new facilities (S2.B.3.c.)
- b. Existing Facilities (except as defined under S2.B.3.a.i.)

Existing facilities are those facilities that were in operation before November 18, 1995. Facilities that had coverage but lost it because they failed to renew coverage as required by this permit, lost coverage as a result of failure to pay permit fees or other enforcement action, or who terminated coverage and then reapply for coverage will be considered “new” facilities. Existing facilities required under special condition S1.A. to have coverage but which failed to obtain coverage may be subject to enforcement action for discharging without a permit and required to obtain coverage. Existing facilities shall submit an application for coverage to Ecology within 30 days of notification by Ecology that coverage is required. Public notice is not required.

c. New Facilities

- i. All new industrial facilities must apply for coverage at least 38 days before the commencement of the industrial activity.
- ii. All new industrial facilities must have their stormwater pollution prevention plan completed and implemented before the commencement of the industrial activity. Completed means all SWPPP components that can be completed before operation are included in the SWPPP. Implemented applies to all BMPs identified in the SWPPP including those that require capital investment. The SWPPP must be submitted to Ecology with the application for coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
- iii. The applicant must comply with the State Environmental Policy Act (SEPA) before receiving permit coverage.
- iv. The applicant must complete public notice requirements before receiving permit coverage.

4. Facilities with Significant Process Change

Any facility anticipating a significant process change as identified in S1.D., Modification of Permit Coverage, must submit a completed application for coverage, marked as modification of coverage, as follows:

- a. The facility must apply for modification of coverage at least 38 days before implementing the significant process change.

- b. The applicant must complete public notice requirements before receiving modification of permit coverage.
  - c. The facility must have their stormwater pollution prevention plan updated and implemented to reflect the change before commencement of the significant process change. The updated SWPPP must be submitted to Ecology with the application for coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
  - d. The applicant must comply with the State Environmental Policy Act (SEPA) as applicable to the proposed significant process change.
5. Add or Modify Mixing Zone
- Any facility submitting a request to add or modify a mixing zone must submit a completed application for coverage, marked as modification of coverage, as follows:
- a. The facility must apply for modification of coverage at least 38 days before a changed mixing zone can become effective.
  - b. The applicant must complete public notice requirements before receiving modification of permit coverage.
  - c. Modification of coverage that includes an expanded mixing zone will not be effective until approved by Ecology.
6. Light Industry Previously Exempt
- Any category 11 facility, light industry (see Appendix 1), that was not required to apply for coverage under the “no exposure” provision in the previous permit must submit an application for coverage or an application for “no exposure” within three (3) months of the effective date of this permit.

C. Is There a Compliance Schedule for Developing and Implementing the SWPPP?

No compliance schedule is authorized under this permit for developing and implementing the stormwater pollution prevention plan except as identified below:

- 1. For ISTEA existing facilities (S2.B.3.a.i.)
  - a. Unless otherwise authorized by Ecology in writing, the Stormwater Pollution Prevention Plan (SWPPP) must be completed and submitted to Ecology by March 10, 2003. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.
  - b. Unless otherwise authorized by Ecology in writing, implementation of non-capital best management practices (BMPs) must be completed by May 10, 2003. BMPs that require a capital investment must be completed by November 10, 2003 unless otherwise authorized by Ecology in writing.
- 2. For existing facilities not previously permitted (S2.B.3.b.)
  - a. Unless otherwise authorized by Ecology in writing, the Stormwater Pollution Prevention Plan (SWPPP) must be completed and submitted to Ecology within

30 days of receiving coverage. Receipt of the SWPPP by Ecology does not constitute review or approval of the SWPPP contents.

- b. Unless otherwise authorized by Ecology in writing, implementation of non-capital best management practices (BMPs) must be completed within 90 days of receiving coverage. BMPs that require a capital investment must be implemented within nine (9) months of receiving coverage unless otherwise authorized by Ecology in writing.

D. What are Public Notice Requirements?

Public notice must be published once each week for two consecutive weeks (twice), at least seven days apart, in a newspaper of general circulation within the county in which the discharge is proposed. The public has up to 30 days after the second publication to comment on the proposal. At a minimum, public notice must include the following:

1. A statement that the applicant is seeking coverage under the Washington Department of Ecology's NPDES General Permit for Stormwater Discharges Associated with Industrial Activities;
2. The name, address and location of the facility where the proposed discharge would occur;
3. The name and address of the applicant if different from facility in 2. above;
4. A description of the type of business, description of areas from which a stormwater discharge will occur including acreage, and when industrial activities will begin;
5. A brief description of stormwater management activities that provide source control and treatment;
6. Whether application is for a new permit coverage or modification of existing permit coverage;
7. Identification of the waters that will receive the stormwater discharge and if a mixing zone is included;
8. Whether the facility has any other wastewater discharge permit; and
9. The statement: "Any person desiring to present their views to the Department of Ecology concerning this application, or interested in the department's action on this application may notify the Department of Ecology in writing within 30 days of the last date of publication of this notice. Comments shall be submitted to: Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696."

E. When Does Coverage Begin?

Ecology intends to notify applicants by mail of their status concerning coverage under this permit within 30 days of completion of all application requirements including compliance with SEPA and public notice requirements.

1. Except for an application that includes an expanded mixing zone, if the applicant does not receive notification from Ecology, coverage/modification of coverage under this permit automatically commences on the later of the following:

- a. The thirty-first (31<sup>st</sup>) day following receipt by Ecology of a completed application for coverage;
  - b. The thirty-first (31<sup>st</sup>) day following the end of a thirty (30) day public comment period; or
  - c. The effective date of the general permit.
2. Additional time may be required to review the application if the application is incomplete, if Ecology requires additional site-specific information, if there is a request for a public hearing, if public comments are filed, or when more information is necessary to determine whether coverage under the general permit is appropriate for a facility. When additional time is required:
- a. Ecology will notify the applicant in writing and identify the issues that must be resolved before a decision can be reached.
  - b. Ecology will submit the final decision to the applicant in writing. If the application for coverage/modification of coverage is approved, coverage begins the thirty-first (31<sup>st</sup>) day following approval.
3. If the applicant has an individual permit but applies for coverage under the general permit, the individual permit will remain in effect until terminated in writing by Ecology. However, an expired individual permit, pursuant to WAC 173-220-180(5), will terminate upon coverage by the general permit.

F. Does Coverage Preempt Local Government Requirements?

The Permittee must comply with local government requirements. Where the permit and local government requirements overlap, the most restrictive requirements shall be followed.

Facilities with stormwater discharge to a storm sewer operated by any of the following municipalities shall send a copy of their application for coverage to the appropriate municipality:

Seattle, King County, Snohomish County, Tacoma, Pierce County, Clark County.

G. Do I have to Reapply for Coverage When This Permit Expires?

Facilities that have coverage under the industrial stormwater general permit must reapply for coverage by submitting the Application for Renewal of Coverage at least 180 days before the specified expiration date of this permit.

**S3. DISCHARGE LIMITATIONS**

A. Authorized Stormwater Discharges

Beginning on the effective date of this permit and lasting through its expiration date, the Permittee is authorized to discharge stormwater to waters of the state. All

discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit.

B. Discharges Prohibited

Unless authorized by a separate NPDES or state waste discharge permit, the following discharges are prohibited.

1. The discharge of process wastewater is not authorized. *Process wastewater* means any water which, during manufacturing, processing, operations, or maintenance, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Stormwater that commingles with process water becomes process water.
2. Illicit discharges are not authorized by this permit, nor does it relieve entities responsible for illicit discharges, including spills of oil or hazardous substances, from obligations under state and federal laws and regulations pertaining to those discharges.

C. Stormwater Discharges Subject to Effluent Guideline Limits

Stormwater discharges from the following facilities/activities are authorized subject to effluent limitations. The discharge of the pollutants at a level more than that identified and authorized by this permit for these facilities/activities shall constitute a violation of the terms and conditions of this permit.

## 1. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A

	<b>EFFLUENT LIMITATIONS FOR HAZARDOUS WASTE LANDFILLS</b>	
<b>Parameter</b>	<b>Average Monthly<sup>a</sup></b>	<b>Maximum Daily<sup>b</sup></b>
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
BOD5	56 mg/L	220 mg/L
TSS	27 mg/L	88 mg/L
Ammonia	4.9 mg/L	10 mg/L
Alpha Terpineol	0.019 mg/L	0.042 mg/L
Aniline	0.015 mg/L	0.024 mg/L
Benzoic Acid	0.073 mg/L	0.119 mg/L
Naphthalene	0.022 mg/L	0.059 mg/L
p-Cresol	0.015 mg/L	0.024 mg/L
Phenol	0.029 mg/L	0.048 mg/L
Pyridine	0.025 mg/L	0.072 mg/L
Arsenic (total)	0.54 mg/L	1.1 mg/L
Chromium (total)	0.46 mg/L	1.1 mg/L
Zinc	0.296 mg/L	0.535 mg/L
<sup>a</sup> The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
<sup>b</sup> The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		

2. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart B

	<b>EFFLUENT LIMITATIONS FOR NON- HAZARDOUS WASTE LANDFILLS</b>	
<b>Parameter</b>	<b>Average Monthly<sup>a</sup></b>	<b>Maximum Daily<sup>b</sup></b>
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
BOD5	37 mg/L	140 mg/L
TSS	27 mg/L	88 mg/L
Ammonia	4.9 mg/L	10 mg/L
Alpha Terpineol	0.016 mg/L	0.033 mg/L
Benzoic Acid	0.071 mg/L	0.12 mg/L
p-Cresol	0.014 mg/L	0.12 mg/L
Phenol	0.015 mg/L	0.026 mg/L
Zinc (total)	0.11 mg/L	0.20 mg/L
<sup>a</sup> The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
<sup>b</sup> The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		



## 3. Exposed Coal Piles Regardless of Facility Category

	<b>EFFLUENT LIMITATIONS FOR COAL PILES</b>	
<b>Parameter</b>	<b>Average Monthly<sup>a</sup></b>	<b>Maximum Daily<sup>b</sup></b>
pH	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
Total Suspended Solids (TSS)	NA	50 mg/L
<sup>a</sup> The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. If only one sample is taken during the calendar month, the average monthly effluent limitation applies to that sample. If only one sample is taken during the monitoring quarter, the average monthly effluent limitation applies to that sample.		
<sup>b</sup> The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. The daily discharge is the average measurement of the pollutant over the day.		

D. Stormwater Discharges to Impaired Waterbodies

The Permittee's discharge must not cause or contribute to an excursion of the State's water quality standards, including the State's narrative criteria for water quality. Permittees must comply with the State's water quality standard for each pollutant named as a pollutant causing a violation of water quality standards at the location named on the State's 303(d) list except for temperature which is not required and fecal coliform which is only required if there is a potential source from the industrial activity. Ecology will not require monitoring for fecal coliform if the Permittee can document that there is no potential source of fecal coliform from any of their industrial activities. Permittees must be in compliance with any applicable Total Maximum Daily Load (TMDL) determination.

## 1. New Facilities and Significant Process Change

New facilities that discharge to waters listed as impaired by the State under Section 303(d) of the Clean Water Act must comply with the State's water quality standards for the named pollutant(s) at the point of discharge. Facilities that implement a significant process change (see S1.D.1.) must either comply with the State's water quality standards for the named pollutant(s) at the point of discharge or demonstrate no increase in loading from the entire facility as a result of the process change. All new discharges must be in compliance with any applicable TMDL determination.

<b>PARAMETER</b>	<b>EFFLUENT LIMITATION FOR IMPAIRED WATERS</b>
Parameter(s) as identified for the 303(d) listed segment or if applicable, TMDL determination	Based on Chapter 173-201A or as identified in the TMDL or listing documentation

## 2. Existing Facilities

Existing facilities that discharge to waters listed as impaired by the State under Section 303(d) of the Clean Water Act must comply with the State's water quality standards for the named pollutant(s) at the point of discharge. Existing facilities subject to a TMDL determination must be in compliance with the conditions of the TMDL determination and detailed implementation plan.

<b>PARAMETER</b>	<b>EFFLUENT LIMITATION FOR IMPAIRED WATERS</b>
Parameter(s) as identified for the 303(d) listed segment or if applicable, TMDL determination	Based on Chapter 173-201A or as identified in the TMDL or listing documentation

If a Permittee discharging to waters listed under 303(d) fails to comply with the effluent limits above, the compliance schedule below immediately becomes applicable and shall be considered the applicable interim effluent limitations until compliance with water quality standards is achieved or a TMDL is completed. When a TMDL is completed, the Permittee must comply with the TMDL determination.

ACTION	COMPLETION DATE
Examine facility for potential sources of the pollutant(s) and identify source control and treatment options for the reduction of the pollutant(s). Include a full report of findings in the SWPPP.	Year One: Within one year after exceedence of effluent limitation for impaired waters.
Implement nonstructural source control options to reduce the level of pollutant(s) discharged. Document results in SWPPP.	Year Two: Within two years after exceedence of effluent limitation for impaired waters.
Implement structural source control options to reduce the level of pollutant(s) discharged. Document results in SWPPP.	Year Three: Within three years after exceedence of effluent limitation for impaired waters.
Implement treatment option to reduce the level of pollutant(s) discharged. Document results in SWPPP.	Year Four: Within four years after exceedence of effluent limitation for impaired waters.
If the discharge still exceeds water quality standards for the pollutant(s): review all actions taken, the results of actions taken, and identify any additional measures that may be taken. Include a full report of findings in the SWPPP.	Year Five: Within five years after exceedence of effluent limitation for impaired waters.

#### E. Mixing Zone Descriptions

A mixing zone may be requested during application for coverage or through modification of coverage. The applicant/Permittee must complete the “Mixing Zone Applicability” portion of the application. Mixing zone information must also be included in the public notice of the application for coverage/modification of coverage. The mixing zone is authorized when the application for coverage or modification of coverage becomes effective (see special condition S2, Coverage Requirements). Existing facilities are not required to submit an application for modification of coverage to be eligible for the “standard” mixing zone (S3.E.2.).

1. A mixing zone is only applicable when:
  - a. The pollutant is not subject to 303(d) listing at the point of discharge;
  - b. The receiving waterbody does not have a control plan<sup>2</sup> that would limit available dilution;
  - c. All appropriate best management practices established for stormwater pollutant control have been applied to the discharge;

<sup>2</sup> Control plans may be total maximum daily load (TMDL) determinations, restrictions for the protection of endangered species, ground water management plans, or other limitations that regulate or set limits on discharges to a specific waterbody or groundwater recharge area.

- d. The mixing zone does not have a reasonable potential to result in a loss of sensitive or important habitat, substantially interfere with the existing or characteristic uses of the waterbody, result in damage to the ecosystem, or adversely affect public health as determined by Ecology; and
  - e. The mixing zone does not create a barrier to the migration or translocation of indigenous organisms to a degree that has the potential to cause damage to the ecosystem.
2. The size of a standard mixing zone will conform to the following:
- a. Streams and rivers: The mixing zone shall extend in the direction of the current from the point of discharge until there is complete mixing but not to exceed 300 feet.
  - b. Lakes: The mixing zone shall extend in any horizontal direction from the point of discharge 200 feet.
  - c. Estuaries: The mixing zone shall extend in any horizontal direction from the point of discharge 200 feet.
  - d. Oceanic: The mixing zone shall extend in any horizontal direction from the point of discharge 300 feet.
  - e. Other: The mixing zone for any surface waterbody that is not covered above will be determined by Ecology.
3. The size of an expanded mixing zone must be defined by the applicant/Permittee and the applicant/Permittee must clearly demonstrate the requested mixing zone complies with the requirements of Chapter 173-201A WAC. The expanded mixing zone will only become effective if Ecology approves it in writing.

F. General Prohibitions

All facilities must manage stormwater discharges to prevent the discharge of :

- 1. Petroleum products as identified by an oil sheen or
- 2. Floating materials

**S4. MONITORING REQUIREMENTS**

All facilities under this permit will be required to conduct quarterly monitoring of stormwater. The Permittees must report their monitoring results for each quarter. The results of visual monitoring will be kept with the stormwater pollution prevention plan. The results of sampling and analysis will be submitted to Ecology. If there is no discharge during the entire quarter, the Permittee must submit a report stating that no discharge occurred. If the Permittee was not required to conduct sampling and analysis based on consistent attainment of benchmark values, the Permittee must submit a report stating that sampling was not required based on consistent attainment. The quarters are defined as:

First Quarter:	January, February, March
Second Quarter:	April, May, June
Third Quarter:	July, August, September
Fourth Quarter:	October, November, December

Stormwater must be sampled according to the instructions below. The Permittee is not required to sample outside of regular business hours but should make an effort to make sure that this does not result in a failure to capture a storm event during an entire quarter. If a Permittee is unable to sample according to any of these criteria they must submit an explanation with the monitoring report that includes the variance and the reason why. Sampling of stormwater will be conducted as follows:

1. All samples will be grab samples taken within the first hour of discharge.
2. All samples will be taken as close to the point of discharge as reasonably practical except for stormwater from coal piles which must be sampled stormwater from the coal pile commingles with stormwater for other sources.
3. The storm event sampled must be at least 0.1 inches of rain in a 24-hour period.
4. The storm event sampled must be preceded by at least 24-hours of no discharge.
5. Samples must be representative of discharge. Each distinct point of discharge offsite must be sampled and analyzed separately if activities and site conditions that may pollute the stormwater are likely to result in discharges that will significantly vary in the quantity or type of pollutants. Where pollutant types do not vary and discharge volumes are similar, the Permittee may sample only the discharge point with the highest concentration of pollutants.

#### A. All Facilities

Beginning with the first quarter of the year 2003, all facilities must conduct quarterly monitoring of authorized discharges of stormwater to surface water. Monitoring shall consist of visual monitoring and stormwater sampling. Stormwater sampling requirements under this provision, S4.A., may be modified by Ecology for facilities that have received an “extreme hardship fee reduction” under chapter 173-224 WAC. In addition to economic hardship, Ecology must also determine that stormwater from the site will pose no significant environmental risk. Qualifying facilities must submit a written request for relief to Ecology. Ecology will conduct a site visit to evaluate whether stormwater runoff from the site constitutes a significant environmental risk. No reduction is authorized except through a written statement from Ecology that specifies the reduction that will be allowed. There will be no reduction in the visual monitoring requirements of this provision. Test methods are the minimum level required. Equivalent or superior test methods may be substituted. All meters used onsite must be operated in accordance with the manufacturers requirements and properly calibrated.

## 1. Visual Monitoring

Visual monitoring shall be done at least quarterly and will coincide with sampling. Visual monitoring shall assess the SWPPP BMPs required by this permit. The visual inspection shall be conducted by personnel named in the SWPPP to verify that the description of potential pollutant sources required under this permit is accurate; the site map as required in the SWPPP has been updated or otherwise modified to reflect current conditions; and the controls to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP are implemented and adequate. All discrete outfalls shall receive visual inspection. Inspection shall include observations for the presence of floating materials, suspended solids, oil and grease, visible sheen, discoloration, turbidity, odor, etc. in the stormwater discharge(s).

In addition to quarterly visual inspection during storm events, the Permittee shall conduct at least one dry season (July, August, September) inspection each year by personnel named in the SWPPP and after at least seven (7) consecutive days of no precipitation. The dry season inspection shall determine the presence of nonstormwater discharges such as domestic wastewater, noncontact cooling water, or process wastewater (including leachate) to the stormwater drainage system that are not authorized under this permit. If a nonstormwater discharge is discovered, the Permittee shall notify Ecology. The Permittee shall eliminate the illicit discharge within 30 days unless additional time is authorized by Ecology.

## 2. Stormwater Sampling

Stormwater shall be sampled for the following parameters. The Permittee may suspend stormwater sampling and analysis for turbidity, pH, zinc, and petroleum based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values for all four parameters are equal to or less than the benchmark values. For pH equal to or less than the benchmark values means that the pH did not exceed 9 and was not less than 6. It is not necessary to test and report parameters that are required under other categories unless different sampling points are required (e.g. coal piles).

<b>Parameter</b>	<b>Units</b>	<b>Analytical Method</b>	<b>Benchmark Value</b>	<b>Minimum Sampling Frequency</b>
Turbidity	NTU	meter	25 NTU	Quarterly
pH	Standard Units	meter/litmus paper	6 – 9 SU	Quarterly
Total Zinc	µg/L	EPA 200.7	117 µg/L	Quarterly
Petroleum - Oil and Grease	mg/L	EPA 413.1 or 413.2	15 mg/L	Quarterly

### 3. Additional Metal Sampling

If the value for total zinc exceeds the benchmark value for two consecutive quarters, beginning with the next sampling quarter the Permittee shall include analysis for copper and lead as defined below. Analysis for these parameters will be required for the remainder of the permit term unless the Permittee becomes eligible to suspend monitoring through consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values for all parameters are equal to or less than the benchmark values.

<b>Parameter</b>	<b>Units</b>	<b>Analytical Method</b>	<b>Benchmark Value</b>	<b>Minimum Sampling Frequency</b>
Total Copper	µg/L	EPA 200.7	63.6 µg/L	Quarterly
Total Lead	µg/L	EPA 200.7	81.6 µg/L	Quarterly
Hardness	mg/L	EPA 130.1 or 130.2	NA	Quarterly

#### B. Additional Monitoring by Industrial Group

In addition to the requirements above, beginning with the first quarter of the year 2003, all facilities identified below must conduct quarterly monitoring of authorized discharges of stormwater to surface water for the listed parameters. Stormwater sampling requirements under this provision, S4.B., may be modified by Ecology for facilities that have received an “extreme hardship fee reduction” under chapter 173-224 WAC. In addition to economic hardship, Ecology must also determine that stormwater from the site will pose no significant environmental risk. Qualifying facilities must submit a written request for relief to Ecology. Ecology will conduct a site visit to evaluate whether stormwater runoff from the site constitutes a significant environmental risk. No reduction is authorized except through a written statement from Ecology that specifies what if any reduction will be allowed.

#### 1. Timber Product Industry, Paper and Allied Products

This group includes industries identified by SIC codes 24xx except for 2434 (wood Kitchen Cabinets) and industries identified by SIC codes 26xx except for 265x (Paperboard Containers) and 267x (converted paper and paperboard products).

<b>Parameter</b>	<b>Units</b>	<b>Analytical Method</b>	<b>Benchmark Value</b>	<b>Minimum Sampling Frequency</b>
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	Quarterly

The Permittee may suspend stormwater sampling and analysis for BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not

counted) where the reported value for BOD5 is equal to or less than the benchmark value.

## 2. Air Transportation

This group includes industries identified by SIC codes 4512-4581, air transportation, that use more than 100,000 gallons of glycol-based deicing/anti-icing and/or 100 tons or more of urea on an average annual basis. Monitor ONLY those outfalls from the airport facility that collect runoff from areas where deicing/anti-icing activities occur. Sample 4 times during the three month period of December, January and February when deicing activities are occurring.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Ammonia*	mg/L	EPA 350.1	19 mg/L	4/Year
Nitrate/ Nitrite as N*	mg/L	EPA 353.1 or 353.2	0.68 mg/L	4/Year
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	4/Year

\*required only if urea is applied

The Permittee may suspend stormwater sampling and analysis for ammonia and BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values for ammonia and BOD5 are equal to or less than the benchmark value.

## 3. Chemical and Allied Products, Food and Kindred Products

This group includes industries identified by SIC codes 28xx and 20xx.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Nitrate/ Nitrite as N	mg/L	EPA 353.1 or 353.2	0.68 mg/L	Quarterly
Phosphorus (TP)	mg/L	EPA 365.1, 365.3 or SM 4500-PH/PI	0.5 mg/L	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	30 mg/L	Quarterly

The Permittee may suspend stormwater sampling and analysis for ammonia, total phosphorus, and BOD5 based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values for ammonia, total phosphorus, and BOD5 are equal to or less than the benchmark value.

## 4. Primary Metals, Metals Mining, Automobile Salvage, Scrap Recycling, Metals Fabricating



This group includes facilities involved in the recycling of materials (includes metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards) and industries identified by SIC codes 10xx, 33xx, 34xx, 5015, 5093.

Parameter	Units	Analytical Method	Benchmark Value	Minimum Sampling Frequency
Copper	µg/L	EPA 200.7	63.6 µg/L	Quarterly
Lead	µg/L	EPA 200.7	81.6 µg/L	Quarterly
Hardness	mg/L	EPA 130.1	NA	Quarterly

The Permittee may suspend stormwater sampling and analysis for copper, lead, and hardness based on consistent attainment of benchmark values. Consistent attainment is defined as eight consecutive quarters (any quarter with no stormwater discharge is not counted) where the reported values for copper and lead are equal to or less than the benchmark value.

#### C. Facilities With Limits Based on EPA Effluent Guidelines

In addition to the requirements in S4.A. above, beginning with the first quarter of the year 2003, all facilities identified below must conduct quarterly monitoring of authorized discharges of stormwater to surface water for the listed parameters.

##### 1. Hazardous waste landfills subject to the provisions of 40 CFR Part 445 Subpart A

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	Quarterly
TSS	mg/L	EPA 160.2	Quarterly
Ammonia	mg/L	EPA 350.1, 350.2, or 350.3	Quarterly
Alpha Terpineol	mg/L	EPA 8270	Quarterly
Aniline	mg/L	EPA 8131	Quarterly
Benzoic Acid	mg/L	EPA 8270	Quarterly
Naphthalene	mg/L	EPA 610, 625, or 1625	Quarterly
p-Cresol	mg/L	EPA 8270	Quarterly
Phenol	mg/L	D4763	Quarterly
Pyridine	mg/L	EPA 8270	Quarterly
Arsenic (total)	mg/L	EPA 200.7	Quarterly
Chromium (total)	mg/L	EPA 200.7	Quarterly
Zinc	mg/L	EPA 200.7	Quarterly

2. Non-hazardous waste landfills subject to the provisions of 40 CFR Part 445  
Subpart B

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
BOD5	mg/L	EPA 405.1 or Standard Methods 5210B	Quarterly
TSS	mg/L	EPA 160.2	Quarterly
Ammonia	mg/L	EPA 350.1, 350.2, or 350.3	Quarterly
Alpha Terpineol	mg/L	EPA 8270	Quarterly
Benzoic Acid	mg/L	EPA 8270	Quarterly
p-Cresol	mg/L	EPA 8270	Quarterly
Phenol	mg/L	D4763	Quarterly
Zinc (total)	mg/L	EPA 200.7	Quarterly

3. Coal Piles (at any facility)

Parameter	Units	Analytical Method	Minimum Sampling Frequency
pH	Standard Units	meter	Quarterly
TSS	mg/L	EPA 160.2	Quarterly

D. Facilities Discharging to 303(d) Listed Waterbodies or Subject to TMDL Determination

In addition to the requirements in S4.A. above, beginning with the first quarter of the year 2003, all facilities that discharge to waters listed as impaired by the State under Section 303(d) of the Clean Water Act must conduct quarterly monitoring of authorized discharges of stormwater to surface water. Samples must be analyzed for the parameters named on the 303(d) as causing impairment of the listed waters except for temperature which is not required and fecal coliform which is only required if there is a potential source from the industrial activity. Discharges to a waterbody subject to a TMDL must be consistent with the TMDL determination. Where the TMDL determination sets load allocations for new discharges or limits pollutant concentrations in the discharge, the Permittee must conduct monitoring for the named pollutant(s) as required by the TMDL. Reporting as required by this permit should begin with the first quarter of the year 2003. Permittees may suspend monitoring for a listed parameter if eight consecutive samples fail to detect the presence of the listed parameter.

Parameter	Units	Analytical Method	Minimum Sampling Frequency
Parameter(s) as identified for the 303(d) listed segment or TMDL	As Applicable	Appropriate EPA or Equivalent Method	Quarterly or as required by TMDL

#### E. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Ecology).

#### F. Laboratory Accreditation

All monitoring data required by Ecology shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters are exempt from this requirement. Conductivity, pH, and turbidity shall be accredited if the laboratory must be registered or accredited for any other parameter. Ecology exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

### S5. REPORTING AND RECORDKEEPING REQUIREMENTS

Unless referring to a specific permit requirement (e.g. reporting sampling results), the following conditions apply to all records and reports required by this permit. The falsification of information submitted to Ecology shall constitute a violation of the terms and conditions of this permit.

#### A. Reporting

The first monitoring period begins in the first quarter of 2003. Monitoring results must be submitted quarterly. Monitoring data obtained during each monitoring period must be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by Ecology. Permittees are authorized and encouraged to use electronic submission when an official Ecology electronic DMR form becomes available. DMR forms may be submitted any time after completing the required monitoring each quarter but must be received by Ecology as indicated:

First Quarter	Not later than April 30 following end of reporting period
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Second Quarter	Not later than July 31 following end of reporting period
Third Quarter	Not later than October 31 following end of reporting period
Fourth Quarter	Not later than January 31 following end of reporting period

If you are unable to submit discharge monitoring reports electronically, you may submit printed reports to Ecology's headquarters' office:

Industrial Stormwater Permit Manager  
Department of Ecology  
Water Quality Program  
PO Box 47696  
Olympia, Washington 98504-7696

All laboratory reports providing data for organic and metal parameters must include the following information: sampling date, sample location (may use SWPPP identifier), date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected. These records must be maintained onsite and are not submitted to Ecology unless requested.

Discharge Monitoring Report forms must be submitted quarterly whether or not the facility was discharging. Discharge monitoring forms must also be submitted quarterly if monitoring has been suspended as a result of consistent attainment of benchmark values. If there was no discharge during a given monitoring period, submit the form electronically or by mail marking the "no discharge" check box. If you have suspended monitoring based on consistent attainment, submit the form electronically or by mail marking the "consistent attainment" check box.

**B. Records Retention**

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

**C. Recording of Results**

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

**D. Additional Monitoring by the Permittee**

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S4. of this permit, then the results of this

monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and clean up unauthorized discharges or otherwise stop the noncompliance and correct the problem.
2. Immediately notify the appropriate Ecology regional office of the failure to comply.
3. Submit a detailed written report to Ecology within five [5] days unless additional time is authorized by Ecology. The report shall contain a description of the noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

**S6. “NO EXPOSURE” CERTIFICATE**

Any eligible facility that is otherwise required to obtain coverage under the industrial stormwater general permit may submit a “no exposure” form in lieu of an application for coverage. Submission may be by hard copy form or by electronic submission using the official Ecology form.

- A. The facility must completely fill out and submit the “no exposure” form provided by Ecology.
- B. The facility must retain a signed copy of the completed “no exposure” form on-site.
- C. The facility must meet the following minimum conditions:
  1. All industrial materials and activities must be protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt and/or runoff.
  2. The “no exposure” determination must apply to the entire facility and cannot apply just to individual outfalls.
  3. The facility’s stormwater discharge has no reasonable potential to cause or contribute to a violation of applicable water quality standards.
  4. Stormwater is not subject to significant levels of pollutants from impervious surfaces such as roofs.
  5. Impervious surface added to achieve a “no exposure” determination must not result in adverse flow impacts on the receiving water.

6. There must be no previous site contamination that can be mobilized by stormwater.
- D. A “no exposure” determination is granted 60 days after submitting the form to Ecology unless Ecology responds in writing. Ecology may deny “no exposure” status, require additional information, or specify additional time for review of the request for “no exposure” status.
- E. A “no exposure” determination does not void General Condition G4, Right of Entry, of this permit.
- F. “no exposure” must be reauthorized by submitting a new “no exposure” form every five (5) years or within thirty (30) days of the effective date of reissuance of the industrial stormwater general permit, whichever comes first.
- G. If changes at a facility will result in exposure of industrial activities or materials, the “no exposure” exclusion ceases to apply as soon as those changes occur. You must apply for stormwater permit coverage under an applicable NPDES permit for stormwater discharges at least thirty-eight days before implementing changes that would result in exposure.

## **S7. COMPLIANCE WITH STANDARDS**

Permittees must comply with Washington State surface water quality standards (Chapter 173-201A WAC), sediment management standards (Chapter 173-204 WAC), ground water quality standards (Chapter 173-200 WAC), and human health-based criteria in the national Toxics Rule (federal Register, Vol. 57, No. 246, Dec. 22, 1992, pages 60848-60923). Compliance with standards applies to all discharges except for the implementation time provided to existing facilities with first time coverage as identified in S2.B.

Compliance with surface water quality standards means that stormwater discharges by a facility with permit coverage will not cause or contribute to a violation of water quality standards in the receiving water.

- A. Ecology will apply a mixing zone where one is authorized and consistent with Special Condition S3.E. Compliance with surface water quality standards shall be determined after consideration of available dilution.
- B. Where a mixing zone is not allowed, stormwater discharges must comply with surface water quality standards at the point of discharge.
  1. The point of discharge for discharges to a municipal storm sewer is where the stormwater enters the storm sewer system.
  2. The point of discharge for discharges to surface water is where the stormwater enters waters of the state.
- C. Stormwater treatment systems must be fully functional for all storm situations that do not exceed the water quality design storm or the water quality design flow rate, whichever is applicable. The design criteria are defined by the applicable stormwater

management manual identified in Special Condition S9.5 of this permit. A stormwater treatment system that does not fully function during a storm that exceeds the water quality design storm will not be a permit violation provided the failure is a result of the severe storm and not from lack of maintenance or improper operation.

## **S8. OPERATION AND MAINTENANCE**

The Permittee shall, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

### **A. Bypass Procedures**

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and the Department may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by the Department prior to the bypass. The Permittee shall submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass Which is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit.

This bypass is permitted only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.

- c. The Department is properly notified of the bypass as required in condition S5E of this permit.
3. Bypass which is Anticipated and has the Potential to Result in Noncompliance of this Permit.

The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order for this type bypass:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.



B. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

**S9. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR INDUSTRIAL FACILITIES**

All facilities covered under this permit must have a Stormwater Pollution Prevention Plan (SWPPP) specifically developed for their facility. The SWPPP must be consistent with permit requirements, fully implemented as directed by permit conditions, and updated as necessary to maintain compliance with permit conditions. New facilities must have a SWPPP developed and implemented before beginning operation. However, some components of a SWPPP are added over time (e.g. results of dry and wet weather inspections) and cannot be included in the first SWPPP. The Permittee must update the SWPPP as required by permit conditions.

A. General Requirements

The Permittee shall retain the SWPPP on-site or within reasonable access to the site and make it immediately available, upon request, to Ecology. If discharge is to a municipal storm sewer system, the municipal operator of the storm sewer system shall also have access to the SWPPP. The responsible party as identified in General Condition G20, Signatory Requirements, shall sign the SWPPP and all of its modifications.

1. Illicit Discharges:

The SWPPP shall include measures to identify and eliminate the discharge of process wastewater, domestic wastewater, noncontact cooling water, and other illicit discharges, to stormwater drainage systems, or to surface waters of the state of Washington.

2. Ecology Request:

Ecology may request a written copy or update of a previously submitted stormwater pollution prevention plan (SWPPP). The Permittee must submit their SWPPP to Ecology within two (2) weeks of receiving the request or at a later date if approved by Ecology.

3. Public Access:

Ecology will maintain a copy of the SWPPP for each industrial facility at the appropriate Ecology regional office. The public may view a copy of a Permittee's SWPPP at the Ecology regional office.

4. Modifications:

The Permittee shall provide a schedule in the SWPPP for implementation of any modifications that are necessary because of a notice from Ecology, facility

changes, or self-inspection. Unless otherwise authorized by Ecology in writing, a schedule for implementation must be completed and entered into the SWPPP within 30 days of a notice/determination of needed modification. BMPs identified in the modification plan must be implemented with due diligence. Unless otherwise authorized by Ecology in writing, noncapital BMPs shall be completed within two weeks of completing the plan and capital BMPs within six months. Modifications will comply with Special Condition S9.A.5. below. Complying with this “Modifications” provision does not limit the potential liability for enforcement action where the Permittee has failed to implement required BMPs or where stormwater discharges violate water quality standards.

- a. Ecology may issue a notice to the Permittee when the SWPPP does not meet one or more of the minimum requirements of Special Condition S9 or when it is not adequate to assure compliance with standards. The Permittee shall modify the SWPPP and the BMPs to correct the deficiencies identified in the notice.
  - b. The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation or maintenance of any BMP which cause(s) the SWPPP to be less effective in controlling the pollutants.
  - c. The permit requires the Permittee to conduct visual monitoring. This visual monitoring may identify BMPs that are inadequate or pollutant sources that are not identified or poorly described in the SWPPP. When visual monitoring identifies inadequacies in the SWPPP, due to the actual discharge of or potential to discharge a significant amount of any pollutant, the SWPPP must be modified and BMPs adjusted to correct the deficiency.
5. Applicability of Current and Future Editions of the Stormwater Management Manual (SWMM):

The Stormwater Management Manual for Western Washington is the current edition of the SWMM as of the effective date of this permit. The Stormwater Management Manual for Eastern Washington will become available sometime after the effective date of this permit. Facilities in eastern Washington shall use the western Washington manual as applicable or other appropriate manuals until the eastern Washington edition is available.

- a. New facilities shall apply the minimum technical requirements and BMPs appropriate for their facility as found in the most recent published edition of the SWMM, or other equivalent manuals, that is available when selecting BMPs for their facility.
- b. Existing permitted facilities that comply with standards are not required to redo their SWPPP and BMPs to incorporate changes when a new edition of the stormwater management manual is released. However, existing facilities shall apply the applicable technical standards and BMPs as found in the most recent published edition of the SWMM, or other equivalent manuals, that are available when updating their SWPPP to accommodate changes at their

facility or when additional BMPs are required to maintain compliance with permit conditions.

- c. Existing facilities undergoing new development or redevelopment will apply the applicable minimum requirements of the appropriate, most current SWMM available during final design of the project.

6. Other Pollution Control Plans:

The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their facility. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit and must meet the availability requirements of the SWPPP (see S9.A., S9A.2. and 3.). A Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70.95C RCW, is an example of such a plan.

B. SWPPP Contents and Requirements

The SWPPP shall contain a detailed assessment of the facility and a detailed description of the best management practices (BMPs).

1. Facility Assessment:

The facility assessment must include a description of the facility, a detailed site map, an inventory of facility activities and equipment that contribute to or have the potential to contribute pollutants to stormwater, and an inventory of materials that contribute to or have the potential to contribute pollutants to stormwater. The assessment must be as complete as possible and must be updated to reflect changes at the facility. The SWPPP must address each potential source of pollutants with best management practices that will eliminate or reduce the potential to contaminate stormwater.

- a. **Facility Description:** The facility description will describe the industrial activities conducted at the site, the general layout of the facility including buildings and storage of raw materials, and the flow of goods and materials through the facility. It should include seasonal variations including peaks in production and any changes in work based on season or weather (e.g. moving work outdoors on dry days).
- b. **Site Map:** The site map must be drawn to an identified scale or include relative distances between significant structures and drainage systems. It must provide identifiers (names) of significant features and be of sufficient size and detail to identify the following: The site map will show the stormwater drainage and discharge structures, an outline of the stormwater drainage areas for each stormwater discharge point (including discharges to ground water), paved areas and buildings, areas of pollutant contact (actual or potential), surface water locations (including wetlands and drainage ditches), areas of existing and potential soil erosion and vehicle service areas;

Lands and waters adjacent to the site shall also be depicted where helpful in identifying discharge points or drainage routes.

- c. **Industrial Activities:** The inventory of industrial activities will identify all areas associated with industrial activities (see Appendix #1-Section A) which have been or may potentially be sources of significant amounts of pollutants, including the following:
    - i) Loading and unloading of dry bulk materials or liquids.
    - ii) Outdoor storage of materials or products.
    - iii) Outdoor manufacturing and processing.
    - iv) Dust or particulate generating processes.
    - v) Roofs or other surfaces exposed to air emissions from a manufacturing building or a process area.
    - (vi) On-site waste treatment, storage or disposal.
    - (vii) Vehicle and equipment fueling, maintenance and/or cleaning (includes washing).
  - d. **Material List:** The inventory of materials will list all the types of materials handled at the site that potentially may be exposed to precipitation or runoff. The inventory will include a short narrative for each material describing the potential of the pollutant to be present in stormwater discharges. The Permittee will update this narrative when data become available to verify the presence or absence of these pollutants. The inventory will include a narrative description of any potential sources of pollutants from past activities; significant materials that were previously handled, treated, stored, or disposed of in a manner to allow ongoing exposure to stormwater. Include the method and location of on-site storage or disposal; and a list of significant spills and significant leaks of toxic or hazardous pollutants.
2. **Monitoring Plan:** The SWPPP will include a monitoring plan. The plan must identify all the points of discharge to surface water or to a storm drain system. If there is more than one point of discharge then the plan must include a discussion of representative sampling and how the Permittee has determined which points of discharge will be monitored. The discussion must include an estimate of the volume of discharge from each discharge point, differences in exposure to pollutants, pollutants likely to be in each discharge and a relative comparison of probable pollutant concentrations. The plan must identify who is responsible for monitoring and how monitoring will be conducted to comply with permit conditions. The monitoring plan will address stormwater sampling requirements and visual inspections. The plan must include the following:
- a. Identification of points of discharge
  - b. A check list for visual monitoring

- c. Who conducts stormwater sampling
  - d. Where samples will be taken
  - e. Parameters for analysis
  - f. Procedures for sample collection and handling
  - g. Procedures for sending samples to lab
  - h. Procedure for submitting results to Ecology
3. **BMPs:** The SWPPP will include a description of the best management practices (BMPs) that are necessary for the facility to eliminate or reduce the potential to contaminate stormwater. BMPs must also be considered to regulate peak flow and volume of stormwater discharge. BMPs shall be included to comply with the following requirements:
- a. **Operational Source Control BMPs:** Operational BMPs are common to all facilities. The categories listed below are a minimum set of BMPs that must be included in the SWPPP.
    - i) Pollution Prevention Team: The SWPPP will include a BMP that identifies specific individuals by name or by title within the plant organization who are responsible for developing the SWPPP and assisting the plant manager in its implementation, maintenance, and modification. The activities and responsibilities of the team should address all aspects of the facility's SWPPP.
    - ii) Good Housekeeping: The SWPPP will include a BMP(s) that defines ongoing maintenance and cleanup, as appropriate, of areas which may contribute pollutants to stormwater discharges. The SWPPP will include the schedule/frequency for completing each housekeeping task.
    - iii) Preventive Maintenance: The SWPPP will include a BMP(s) to inspect and maintain the stormwater drainage and treatment systems (if any), and plant equipment and systems that could fail and result in contamination of stormwater. The SWPPP will include the schedule/frequency for completing each maintenance task.
    - iv) Spill Prevention and Emergency Cleanup Plan: The SWPPP will include BMP(s) to identify areas where potential spills can contribute pollutants to stormwater discharges. The BMP(s) must specify material handling procedures, storage requirements, cleanup equipment and procedures as appropriate. It must be at least equivalent to BMP S1.80 (SWMM Volume IV, Spill Emergencies) in Ecology's SWMM. The SWPPP may include excerpts of plans prepared for other purposes (e.g., Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the CWA), where those excerpts meet the intent of this requirement.

- v) Employee Training: The SWPPP will include a BMP(s) to provide SWPPP training for employees who have duties in areas of industrial activity subject to this permit. At a minimum, training shall include an overview of what is in the SWPPP and how employees make a difference in complying with the SWPPP and preventing contamination of stormwater. The training must address spill response procedures, good housekeeping, and material management practices. The BMP(s) must provide the content of the training, how training will be conducted and the frequency/schedule for assuring employees receive training. Annual training is the minimum acceptable frequency. A log of the dates on which specific employees receive training shall be kept and included in the SWPPP.
  - vi) Inspections and Recordkeeping: The SWPPP will include a BMP(s) to identify plant personnel who will inspect designated equipment and plant areas as required in Special Condition S4, Monitoring Requirements. The Permittee shall also provide a tracking or follow-up procedure to ensure that appropriate action has been taken in response to visual monitoring. There will be documentation of visual monitoring reporting and recordkeeping procedures and schedules as required in Special Condition S5. of this permit.
- b. **Structural Source Control BMPs**: Structural source control BMPs must be provided to eliminate or minimize the exposure of stormwater to pollutants. Volume IV of Ecology's SWMM provides useful information for source control BMPs for different industrial activities. Those BMPs listed as "applicable" are considered the minimum set of required BMPs for an industrial activity. Equivalent BMPs may be selected which result in equal or better quality of stormwater discharge.
  - c. **Treatment BMPs**: Treatment BMPs are required when operational and source control BMPs are not adequate to reduce pollutants below a significant amount and maintain compliance with water quality standards. At a minimum the SWPPP must include a narrative that describes how the Permittee determined if treatment BMPs are/are not required. When treatment BMPs are required, refer to the Ecology SWMM, Volume V, or equivalent manual, for guidance on selecting treatment BMPs.
  - d. **Stormwater Peak Runoff Rate and Volume Control BMPs**: Flow control BMPs are required for new development or redevelopment as defined in Ecology's SWMM, Volume I. At a minimum, the SWPPP must include a narrative that describes how the Permittee determined if flow control BMPs are/are not required. Where required, the SWPPP shall include appropriate BMPs from Volumes I and III of Ecology's SWMM or equivalent manuals.
- 4. **Erosion and Sediment Control BMPs**: All facilities must evaluate the risk of soil erosion on their site. At a minimum the SWPPP must include a narrative that describes if there is reasonable potential for soil erosion at the site. Where

reasonable potential exists, the Permittee must include BMPs to prevent or minimize the potential for soil erosion on-site. When required, BMPs shall be selected from BMPs in Volumes II and III of Ecology's SWMM or equivalent manuals.

5. **Other BMPs:** Nothing in Special Condition S9. of this permit is intended to preclude the application of innovative treatment, source control, reduction or recycle, or operational BMPs beyond those identified in Ecology's SWMM. Additional BMPs beyond those identified in Ecology's SWMM could be necessary to achieve compliance with standards. However, treatment BMPs that include the addition of chemicals to provide treatment must be approved by Ecology before implementation.

#### **S10. SOLID AND LIQUID WASTE DISPOSAL**

Disposal of waste materials from maintenance activities, including liquids and solids from cleaning catch basins and other stormwater facilities, shall be conducted in accordance with the Minimum Functional Standards for Solid Waste Handling, Chapter 173-304 WAC, and where appropriate, the Dangerous Waste Regulations, Chapter 173-303 WAC.

#### **S11. NOTICE OF TERMINATION (NOT)**

Where all permitted stormwater discharges associated with industrial activity that are authorized by this permit cease because the industrial activity has ceased, and no significant materials remain exposed to stormwater, the Permittee(s) may submit a Notice of Termination that is signed in accordance with General Condition G18 of this permit.

Where the operator of a facility with stormwater discharges associated with industrial activity changes, the operator of the facility listed as the Permittee may submit a NOT that is signed in accordance with General Condition G18 of this permit or may transfer the permit in accordance with General Condition G15.

A transmittal letter, which provides a brief description of the change(s) causing the cessation of the stormwater discharge, shall be included with the NOT submission.

#### **S12. DETERMINATION OF PRIMARY ACTIVITY**

For the purpose of requiring stormwater discharge permit coverage Ecology may determine the primary activity of any facility based on the activities taking place at the facility regardless of the SIC code of its ownership or parent company. Permit coverage may be required if the primary activity is listed among the industrial SIC categories in Appendix #1-Section C.

## **GENERAL CONDITIONS**

### **G1. DISCHARGE VIOLATIONS**

All discharges and activities authorized by this general permit shall be consistent with the terms and conditions of this general permit. The discharge of any pollutant more frequently than, or at a concentration in excess of that authorized by this general permit shall constitute a violation of the terms and conditions of this general permit.

### **G2. PROPER OPERATION AND MAINTENANCE**

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

### **G3. REDUCED PRODUCTION FOR COMPLIANCE**

The Permittee, in order to maintain compliance with its general permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

### **G4. RIGHT OF ENTRY**

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records shall be kept under the terms and conditions of this permit;
- B. To have access to and copy at reasonable times any records that shall be kept under the terms of this permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in this permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

### **G5. PERMIT COVERAGE REVOKED**

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the Director may require any *discharger* authorized by this permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

- A. Violation of any term or condition of this permit;



- B. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;
- C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- D. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;
- E. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;
- F. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;
- G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or
- H. Incorporation of an approved local pretreatment program into a municipality's permit.

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

#### **G6. GENERAL PERMIT MODIFICATION AND REVOCATION**

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

- A. When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of dischargers covered under this permit;
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable.

#### **G7. REPORTING A CAUSE FOR MODIFICATION**

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G6. above, or 40 CFR 122.62 shall report such plans, or such information, to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this permit will be required. Ecology may then require submission of a new application for coverage under this, or another general permit, or an application for an individual permit.

Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new application for coverage has been approved and corresponding permit has been issued.

#### **G8. TOXIC POLLUTANTS**

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

#### **G9. OTHER REQUIREMENTS OF 40 CFR**

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

#### **G10. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

#### **G11. ADDITIONAL MONITORING**

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order<sup>3</sup> or permit modification.

#### **G12. PAYMENT OF FEES**

The Permittee shall submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

#### **G13. REMOVED SUBSTANCES**

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater shall not be resuspended or reintroduced for discharge to State waters.

#### **G14. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT**

Any discharger authorized by this permit may request to be excluded from coverage under the industrial stormwater general permit by applying for an individual permit. The discharger shall submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. These reasons must fully document how an individual permit will apply to the applicant in a way that the general permit cannot. Ecology may make specific requests for information to support the request. The Director shall either issue an individual permit or deny the request

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<sup>3</sup> Ecology's determination to issue an Order to increase monitoring frequency is an appealable action under RCW 43.21B.310.

with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to the industrial stormwater general permit, the applicability of the industrial stormwater general permit to that Permittee is automatically terminated on the effective date of the individual permit.

#### **G15. PERMIT TRANSFER**

Coverage under this permit is automatically transferred to a new owner or operator if:

- A. The type of industrial activities and practices are substantially unchanged;
- B. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to Ecology;
- C. A copy of this permit is provided to the new owner; and
- D. Ecology does not notify the Permittee of the need to submit a new application for coverage under the general permit or for an individual permit pursuant to Chapters 173-216, 173-220, and 173-226 WAC.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by Ecology.

#### **G16. DUTY TO REAPPLY**

The Permittee shall reapply for coverage under this permit, at least, one hundred and eighty (180) days prior to the specified expiration date of this permit. An expired permit continues in force and effect until a new permit is issued or until Ecology cancels it. Only those facilities which have reapplied for coverage under this permit are covered under the continued permit.

#### **G17. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.

#### **G18. SIGNATORY REQUIREMENTS**

All applications, reports, or information submitted to Ecology shall be signed and certified.

- A. In the case of a municipal, State or other public facility, all permit applications shall be signed by a principal executive officer or ranking elected official. In the case of a corporation, partnership, or sole proprietorship, all permit applications shall be signed by either a principal executive officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by Ecology shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - 1. The authorization is made in writing by a person described above and submitted to Ecology.
  - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

## **G19. APPEALS**

The terms and conditions of the industrial stormwater general permit are subject to appeal. There are two different appeal categories.

- A. The permit terms and conditions as they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of the industrial stormwater general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC; and
- B. The applicability of the permit terms and conditions to an individual discharger are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of the industrial stormwater general permit coverage of an individual discharger is limited to the applicability or non-applicability of the industrial stormwater general permit to that same discharger. Appeal of this permit coverage of an individual discharger will not affect any other individual dischargers. If the terms and conditions of the industrial stormwater general permit are found to be inapplicable to any discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

## **G20. SEVERABILITY**

The provisions of this permit are severable, and if any provision of this general permit or application of any provision of this general permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this general permit, shall not be affected thereby.

## APPENDIX #1

### A. Edited Version of 40 CFR Subpart 122.26(b)(14)

"Stormwater discharge associated with industrial activity" means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR Part 122. For the categories of industries identified in subparagraphs (1) through (10) below, the term includes, but is not limited to, stormwater discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters [as defined at 40 CFR Subchapter N (Effluent Guidelines and Standards) Part 401 (General Provisions)]; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

For the categories of industries identified in subparagraph (11), the term includes only stormwater discharges from all the areas (except access roads and rail lines) that are listed in the previous paragraph where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to stormwater. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities (including industrial facilities that are federally, state, or municipally owned or operated that meet the description of the facilities listed in this Appendix) include those facilities designated under the provisions of 40 CFR 122.26 (a)(1)(v).

### B. Identify Primary Activity

A facility may need to apply for permit coverage if the primary activity at the facility is listed among the industrial SIC categories in this Appendix #1-Section C whether or not the activity is auxiliary to the owner or other operating establishment. Thus, the primary activity at the facility will be used when determining permit coverage regardless of the SIC code of the owner or parent company. For example, a distribution center for a supermarket chain could be engaged in several activities listed in Appendix #1-Section C, such as transportation or warehousing. Both the transportation and warehousing facilities may be required to apply for permit coverage regardless of their relationship to the supermarket operations.

### C. Categories of Facilities Engaging in Industrial Activity

The following categories of facilities are considered to be engaging in industrial activity and are listed in 40 CFR Subpart 122.26(b)(14) of the November 16, 1990, federal regulation.

1. FACILITIES SUBJECT TO STORMWATER EFFLUENT LIMITATIONS GUIDELINES, or NEW SOURCE PERFORMANCE STANDARDS specified in 40 CFR Subchapter N, or TOXIC POLLUTANT EFFLUENT STANDARDS under 40 CFR Subchapter D (except facilities with toxic pollutant effluent standards which are exempted under category 11 below).
2. FACILITIES LISTED UNDER THE FOLLOWING STANDARD INDUSTRIAL CLASSIFICATIONS (SIC):
 

24xx	Lumber and Wood Products (except 2434 - Wood Kitchen Cabinets, see Category 11)
26xx	Paper and Allied Products (except 265 - Paperboard Containers; and 267 - Converted Paper and Paperboard Products, see Category 11)
28xx	Chemicals and Allied Products (except 283 - Drugs; and 285 Paints, Varnishes, Lacquers, Enamels, and Allied Products, see Category 11)
29xx	Petroleum and Coal Products, (except 2951 - Asphalt Concrete Plants, must apply for the sand and gravel general permit)
311x	Leather Tanning and Finishing
32xx	Stone, Clay and Glass Products (except 323 - Glass Products made from purchased glass, see category 11) and (except 3273 - Ready-Mixed Concrete, must apply for the sand and gravel general permit)
33xx	Primary Metals Industries
3441	Fabricated Structural Metal
373x	Ship and Boat Building and Repairing
3. FACILITIES CLASSIFIED AS SICs 10 THROUGH 14 (mineral industry) listed below, including active or inactive mining operations [except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) Subchapter N (Coal Mining Point Source Category: BPT, BAT, BCT Limitations and New Source Performance Standards) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas on noncoal mining operations which have been released from applicable state or federal reclamation requirements after December 17, 1990] and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that has come in contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations. Inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator. Inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.

- 10xx Metal Mining
- 12xx Coal Mining
- 13xx Oil and Gas Extraction
- 14xx Mining and Quarrying of Nonmetallic Minerals, except Fuels (except 1411 - dimension stone; 1422 - Crushed and Broken Limestone; 1423 - Crushed and Broken Granite; 1429 - Crushed and Broken Stone, Not Elsewhere Classified; 1442 - Construction Sand and Gravel; 1446 - Industrial Sand, 1445 - Kaolin and Ball Clay; 1459 - Clay, Ceramic, and Refractory Minerals, Not Otherwise Classified; 1499 - Miscellaneous Nonmetallic Minerals, Except Fuels; must apply for the sand and gravel general permit)

4. HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES, including those operating under interim status or a permit under Subtitle C of the Resource Conservation and Recovery Act (RCRA).
5. LANDFILLS, LAND APPLICATION SITES, AND OPEN DUMPS that receive or have received any industrial wastes (waste that is received from any of the facilities described in this appendix) including those subject to regulation under Subtitle D of RCRA.
6. RECYCLING FACILITIES, facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093.
7. STEAM ELECTRIC POWER GENERATING FACILITIES, including coal handling sites.
8. TRANSPORTATION FACILITIES classified under SICs below, which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations, airport deicing operations or which are otherwise identified under one of the other 11 categories of industrial activities listed in this appendix are associated with industrial activity.

- 40xx Railroad Transportation,
- 41xx Local and Interurban Passenger Transportation,
- 42xx Motor Freight Transportation and Warehousing (except 4221 Farm Product Warehousing and Storage; 4222 Refrigerated Warehousing and Storage; and 4225 General Warehousing and Storage; see Category 11),
- 43xx United States Postal Service,
- 44xx Water Transportation,
- 45xx Transportation by Air,
- 5171 Petroleum Bulk Stations and Terminals;

9. TREATMENT WORKS treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge, that are located within the confines of the facility, with a design flow of one



million gallons per day or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the CWA.

10. CONSTRUCTION ACTIVITIES are not covered under the industrial stormwater general permit.

11. FACILITIES UNDER THE FOLLOWING STANDARD INDUSTRIAL CLASSIFICATIONS:

20xx	Food and Kindred Products
21xx	Tobacco Products
22xx	Textile Mill Products
23xx	Apparel and Other Textile Products
2434	Wood Kitchen Cabinets
25xx	Furniture and Fixtures
265x	Paperboard Containers and Boxes
267x	Converted Paper and Paperboard Products
27xx	Printing, Publishing and Allied Industries
283x	Drugs
285x	Paints, Varnishes, Lacquers, Enamels, and Allied Products
30xx	Rubber and Miscellaneous Plastic Products
31xx	Leather and Leather Products (except 311 Leather Tanning and Finishing, see Category 2)
323x	Glass Products Made of Purchased Glass
34xx	Fabricated Metal Products (except 3441 Fabricated Structural Metal, see Category 2)
35xx	Industrial and Commercial Machinery and Computer Equipment
36xx	Electronic and Other Electrical Equipmen
37xx	Transportation Equipment (except 373 Ship and Boat Building and Repair, see Category 2)
38xx	Measuring, Analyzing, and Controlling Instruments, Photographic, Medical and Optical Goods; Watches and Clocks
39xx	Miscellaneous Manufacturing Industries
4221	Farm Product Warehousing and Storage
4222	Refrigerated Warehousing and Storage

## 4225 General Warehousing and Storage

**D. Facilities Subject to Stormwater Effluent Limitations Guidelines or Effluent Standards**

Any part of a facility that has a stormwater discharge subject to stormwater Effluent Limitations Guidelines, or New Source Performance Standards (NSPS) Under 40 CFR Subchapter N, or Toxic Pollutant Effluent Standards under 40 CFR Subchapter D Part 129, must apply for NPDES permit coverage in an individual or industry-specific general permit for those stormwater discharges, and not for coverage under this permit.

Below is a list of categories of industries specified in 40 CFR Subchapter N for which at least one subpart includes stormwater effluent limitations guidelines, or NSPS. Industries included in this list should review the Subchapter N guidelines to determine if they are subject to a stormwater effluent limitation guideline for activities which they perform at their site.

40 CFR 411 Cement manufacturing	40 CFR 423 Steam electric power generating
40 CFR 412 Feedlots	40 CFR 434 Coal mining
40 CFR 418 Fertilizer manufacturing	40 CFR 436 Mineral mining and processing
40 CFR 419 Petroleum refining	40 CFR 440 Ore mining and dressing
40 CFR 422 Phosphate manufacturing	40 CFR 443 Paving and roofing materials (tars & asphalt)

Below is a list of six (6) toxic pollutants which are limited by effluent standards in 40 CFR, Subchapter D, Part 129:

- |                    |                                     |
|--------------------|-------------------------------------|
| a) Aldrin/Dieldrin | d) Toxaphene                        |
| b) DDT             | e) Benzidine                        |
| c) Endrin          | f) Polychlorinated Biphenyls (PCBs) |

## APPENDIX #2 - DEFINITIONS

303(d) Listed Waters – see Waters Listed as Impaired - 303(d)

Air Emission means a release of air contaminants into the ambient air.

Best Management Practices (BMPs - general definition) means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. In this permit BMPs are further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

Benchmark means a pollutant concentration used by the permit as a threshold, below which a pollutant is considered unlikely to cause a water quality violation and above which it may. Benchmark values are not water quality criteria and site-specific conditions must still be considered to determine if an actual water quality violation exists.

Bypass means the diversion of waste streams from any portion of a treatment facility.

Capital Improvements means the following improvements which will require capital expenditures:

1. Treatment BMPs, including but not limited to: biofiltration systems including constructed wetlands; settling basins, oil/water separation equipment, and detention and retention basins.
2. Manufacturing modifications, including process changes for source reduction, if capital expenditures for such modifications are incurred.
3. Concrete pads and dikes and appropriate pumping for collection of stormwater and transfer to control systems, from manufacturing areas such as loading, unloading, outside processing, fueling and storage of chemicals, equipment, and wastes.
4. Roofs and appropriate covers for manufacturing areas.

Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; USC 1251 et seq.

Combined Sewer means a sewer which has been designed to serve as a sanitary sewer and a storm sewer, and into which inflow is allowed by local ordinance.

Constructed Wetland means wetlands intentionally created, on sites that are not natural wetlands, for the primary purpose of wastewater or stormwater treatment and managed as such.

Constructed wetlands are normally considered as part of the stormwater collection and treatment system.

Construction Activity means clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, industrial buildings, and demolition activity.

Design Storm mean a 24-hour storm event described by a prescribed hyetograph and total precipitation amount (for a specific duration recurrence frequency) used to estimate runoff for a hypothetical storm of interest or concern for the purposes of analyzing existing drainage, designing new drainage facilities or assessing other impacts of a proposed project on the flow of surface water. (A hyetograph is a graph of percentages of total precipitation for a series of time steps representing the total time during which the precipitation occurs.)

Detention means the temporary storage of stormwater to improve quality and/or to reduce the mass flow rate of discharge.

Director means the Director of the Washington Department of Ecology or his/her authorized representative.

Discharger means an owner or operator of any facility or activity subject to regulation under Chapter 90.48 RCW or the Federal Clean Water Act.

Discharge Target means concentration, mass load, or other indicator of any pollutant which the Permittee may use as guidance in determining whether the stormwater discharge contains a significant amount of a pollutant. Discharge targets have been established for the following:

- Oil and Grease: a maximum 24 hour average concentration (or during a calendar day) of 10 mg/L, or a grab sample maximum concentration of 15 mg/L at any time, and no ongoing or frequently recurring visible sheen in the stormwater discharge or in the receiving water.
- Settleable solids: a maximum of 0.1 ml/L (grab sample) based on an analytical procedure using a one hour settling time.
- pH: between 6.0 and 9.0 (grab sample basis).

Domestic Wastewater means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such ground water infiltration or surface waters as may be present.

Ecology means the Washington State Department of *Ecology*.

Equivalent BMPs means operational, source control, treatment, or innovative BMPs which result in equal or better quality of stormwater discharge to surface water or to ground water than BMPs selected from the SWMM.

Equivalent Stormwater Management Manual means a manual that has been determined by Ecology as being equivalent to the SWMM.

Erosion means the wearing away of the land surface by running water, wind, ice, or other geological agents, including such processes as gravitational creep.

Erosion and Sediment Control BMPs means BMPs that are intended to prevent erosion and sedimentation, such as preserving natural vegetation, seeding, mulching and matting, plastic covering, filter fences, and sediment traps and ponds. Erosion and sediment control BMPs are synonymous with stabilization and structural BMPs.

Erosion and Sediment Control Plan means a document which describes the potential for erosion and sedimentation problems, and explains and illustrates the measures which are to be taken to control those problems.

Existing Facility means a facility that is not a new facility.

Final Stabilization means the completion of all soil disturbing activities at the site and the establishment of a permanent vegetative cover, or equivalent permanent stabilization measures (such as riprap, gabions or geotextiles) which will prevent erosion.

"40 CFR" means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

Ground Water means water in a saturated zone or stratum beneath the land surface or a surface water body.

Illicit Discharge means any discharge that is not composed entirely of stormwater except discharges pursuant to a separate NPDES permit and discharges resulting from fire fighting activities.

Inactive Site means a facility which no longer engages in business, production, providing services, or any auxiliary operation.

Industrial Activity - See Appendix #1-Section A.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application site, surface impoundment, injection well, or waste pile.

Land Application Site means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

Leachate means water or other liquid that has percolated through raw material, product or waste and contains substances in solution or suspension as a result of the contact with these materials.

Listed Waters – see Waters Listed as Impaired - 303(d)

Local Government means any county, city, or town having its own government for local affairs.

Municipality means a political unit such as a city, town or county; incorporated for local self-government.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

New Facility means a facility that begins activities that result in a discharge, or a potential discharge to waters of the state on or after the effective date of this general permit.

Noncontact Cooling Water means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Notice of Intent (NOI) means the application for, or a request for coverage under this *General Permit* pursuant to WAC 173-226-200.

Notice of Termination (NOT) means a request for termination of coverage under this general permit as specified by Special Condition S11 of this permit.

Operational BMPs means schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial practices to prevent or reduce the pollution of waters of the state. Not included are BMPs that require construction of pollution control devices.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure and container from which pollutants are or may be discharged to surface waters of the state. This term does not include return flows from irrigated agriculture. (See Fact Sheet for further explanation.)

Pollutant means the discharge of any of the following to waters of the state: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, domestic sewage sludge (biosolids), munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste. This term does not include sewage from vessels within the meaning of section 312 of the

FWPCA nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the state; including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare; or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; or to livestock, wild animals, birds, fish or other aquatic life.

Primary Activity means the activity at an industrial facility in which the facility is primarily engaged, such as principal product or group of products produced or distributed, or services rendered. The primary extent of the activity may be determined based on revenues, production rate, or number of employees.

Process Wastewater means any water which, during manufacturing or processing, comes into direct contact or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Puget Sound Basin means the Puget Sound south of Admiralty Inlet (including Hood Canal and Saratoga Passage); the waters north to the Canadian border, including portions of the Strait of Georgia; the Strait of Juan de Fuca south of the Canadian border; and all the lands draining into these waters as mapped in Water Resources Inventory Areas numbers 1 through 19, set forth in WAC 173-500-040.

Sanitary Sewer means a sewer which is designed to convey domestic wastewater.

Sediment means the fragmented material that originates from the weathering and erosion of rocks or unconsolidated deposits, and is transported by, suspended in, or deposited by water.

Sedimentation means the depositing or formation of sediment.

SEPA (State Environmental Policy Act) means the Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment.

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Significant Amount means an amount of a pollutant in a discharge that is amenable to available and reasonable methods of prevention or treatment; or an amount of a pollutant that has a reasonable potential to cause a violation of surface or ground water quality or sediment management standards.

Significant Contributor of Pollutant(s) means a facility determined by Ecology to be a contributor of a significant amount(s) of a pollutant(s) to waters of the state of Washington.

Significant Materials includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

Site means the land or water area where any "facility or activity" is physically located or conducted.

Source Control BMPs means physical, structural or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. A few examples of source control BMPs are erosion control practices, maintenance of stormwater facilities, constructing roofs over storage and working areas, and directing wash water and similar discharges to the sanitary sewer or a dead end sump.

Standard Industrial Classification (SIC) is the statistical classification standard underlying all establishment-based federal economic statistics classified by industry as reported in the 1987 SIC Manual by the Office of Management and Budget.

Stabilization means the application of appropriate BMPs to prevent the erosion of soils, such as, temporary and permanent seeding, vegetative covers, mulching and matting, plastic covering and sodding. See also the definition of Erosion and Sediment Control BMPs.

Storm Sewer means a sewer that is designed to carry stormwater. Also called a storm drain.

Stormwater means rainfall and snow melt runoff.

Stormwater Drainage System means constructed and natural features which function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate or divert stormwater.

Stormwater Management Manual for the Puget Sound Basin (SWMM) or Manual means the technical manual prepared by Ecology for use by local governments and published in 1992, or statewide revisions when they become available, that contain descriptions of and design criteria for BMPs to prevent, control, or treat pollutants in stormwater.

Stormwater Pollution Prevention Plan (SWPPP) means a documented plan to implement measures to identify, prevent, and control the contamination of point source discharges of stormwater.

Surface Waters of the State includes lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.



Treatment BMPs means BMPs that are intended to remove pollutants from stormwater. A few examples of treatment BMPs are detention ponds, oil/water separators, biofiltration, and constructed wetlands.

Uncontrolled Sanitary Landfill means a landfill or open dump, whether in operation or closed, that does not meet the requirements for runoff and runoff controls established pursuant to subtitle D of the Solid Waste Disposal Act.

USEPA means the United States Environmental Protection Agency.

Water Quality means the chemical, physical, and biological characteristics of water, usually with respect to its suitability for a particular purpose.

Waters Listed as Impaired - 303(d) means the specific segment of a waterbody that was listed by the State as required under Section 303(d) of the Clean Water Act. The most current list of impaired waters is the applicable list.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter 90.48 RCW which include lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the state of Washington.

### APPENDIX 3 - ACRONYMS

BMP	Best Management Practice
CAS	Chemical Abstract Service
CERCLA	Comprehensive Environmental Response Compensation & Liability Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
EPA	Environmental Protection Agency
ESC	Erosion and Sediment Control
FWPCA	Federal Water Pollution Control Act
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
RCRA	Resource Conservation and Recovery Act
RCW	Revised Code of Washington
SARA	Superfund Amendment and Reauthorization Act
SEPA	State Environmental Policy Act
SIC	Standard Industrial Classification
SMCRA	Surface Mining Control and Reclamation Act
SWMM	Stormwater Management Manual for the Puget Sound Basin
SWPPP	Stormwater Pollution Prevention Plan
USC	United States Code
USEPA	United States Environmental Protection Agency
WAC	Washington Administrative Code
WQ	Water Quality